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NOFORN
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E.O. 12958: DECL: 12/22/2019
TAGS: PGOV PREL KDRG PHUM IT TS
SUBJECT: INFORMING THE GOT OF THE TRANSFER OF TUNISIAN
DETAINEE FROM BAGRAM TO ITALY

Classified By: NEA Deputy Assistant Secretary Michael Corbin.
Reasons: 1.4 (b) & (d).

¶1. (U) This is an action request. Please see para 3.

¶2. (S/NF) The recent conclusion of an arrangement with the Government of Italy regarding the requirements for the transfer of Tunisian national Moez Bin Abdul Qadir Fezzani to the custody of the GOI paved the way for his transfer from Bagram to Italy. He arrived in Italy on December 21. We expect that Fezzani will face prosecution for crimes he committed in Italy during his residence there prior to September 2001.

¶3. (C) ACTION REQUEST: In light of the interest expressed by the GOT to receive their nationals for prosecution, Department requests Post notify the GOT of the transfer of Fezzani soon after his December 21 arrival in Italy. Post may draw from the language provided below for use in whatever approach to the GOT that Post deems appropriate. The points include the Department response to a diplomatic note sent by the Tunisian Embassy to the Department requesting the return of Tunisian national Moez Bin Abdul Qadir Fezzani to Tunisia for the purpose of enforcement of criminal judgments related to terrorism activities.

(Begin points)

-- Moez Bin Abdul Qadir Fezzani was transferred from U.S. Department of Defense detention at Bagram, Afghanistan to the custody of the Government of Italy on December 21. He will likely face prosecution for crimes committed when he resided in Italy prior to September 2001.

--The United States would like to acknowledge receipt of diplomatic note number 159 dated June 8, 2009 received from the Embassy of Tunisia in Washington requesting the return to Tunisia of Moez Bin Abdul Qadir Fezzani for the purpose of enforcement of criminal judgments related to terrorism activities.

CLINTON